

COUNTY OF YORK

MEMORANDUM

DATE: January 3, 2003 (BOS Mtg. 1/21/03)
TO: York County Board of Supervisors
FROM: James O. McReynolds, County Administrator
SUBJECT: Application No. UP-612-03, Carl & Karen Berquist

ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-407(c) of the York County Zoning Ordinance, to authorize a detached accessory apartment in conjunction with a single-family detached dwelling. The accessory apartment is to be located within a proposed two-story accessory building to be constructed on property located at 469 Catesby Lane and further identified as Assessor's Parcel No. 10C-4-D-95.

DESCRIPTION

- ? Property Owners: Carl Richard & Karen K. Berquist
- ? Location: 469 Catesby Lane
- ? Area: 1.14 acres
- ? Frontage: Approximately 74 feet on Catesby Lane (Route 608)
- ? Utilities: Public water and sewer
- ? Topography: Gently rolling
- ? 2015 Land Use Map Designation: High-Density Residential
- ? Zoning Classification: R13 - High-Density Residential
- ? Existing Development: Single family detached home with storage shed
- ? Surrounding Development:
 - North: Single family detached residential
 - East: Single family detached residential
 - South: Single family detached residential
 - West: City of Williamsburg; Single family detached residential

Proposed Development: Detached accessory apartment in conjunction with a single-family detached dwelling.

CONSIDERATIONS/CONCLUSIONS

1. The Zoning Ordinance requires a Special Use Permit for accessory apartments in the R13 district, regardless of the floor area of the apartment or the principal dwelling. The Comprehensive Plan designates this area for high-density single-family residential uses.
2. The applicant wishes to construct a two-floor, 900-square foot detached accessory building in the rear yard for use as a workshop, storage area and accessory apartment for visiting family members and guests. The proposed apartment would include a living area, bedroom, kitchen area, bathroom and a 300-square foot loft on the second floor (see attached sketch plans). According to the applicant's current building plans, the total area of the accessory apartment will not exceed 900 square feet, which represents approximately 72% of the size of the principal dwelling (48% excluding the loft). The principal dwelling is relatively small in size, approximately 1,243 square feet in floor area, and is located on a parcel that is over three times the minimum lot size for the R13 district (13,500 square feet).
3. Performance standards for accessory apartments are set forth in Section 24.1-407 of the Zoning Ordinance. These limit the maximum number of accessory apartments to one per single-family detached dwelling, require adequate provisions for off-street parking, require occupancy only by family members or guests of the occupant of the principal dwelling, and prohibit the apartment from being rented separate from the principal dwelling. The applicant's narrative, submitted with their application, reiterates that the apartment will be for the use of family members or guests only (copy attached). These standards have been included as conditions in the approving resolution.
4. The proposed structure will be located in an area of the parcel that is surrounded by woods. The new structure will be located approximately 75 feet from the residence on the abutting parcel to the north and 155 feet from the dwelling on the abutting parcel to the south.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its regular meeting on December 11, 2002 and, subsequent to conducting a public hearing, at which no one spoke, voted 5:0 to recommend approval.

COUNTY ADMINISTRATOR RECOMMENDATION

I am of the opinion that the subject parcel can accommodate the proposed accessory apartment with no adverse impacts on adjacent properties or County infrastructure. Therefore, I recommend that the Board approve this application subject to the conditions contained in proposed Resolution No. R03-5.

Attachments:

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- ? Excerpts from Planning Commission minutes, December 11, 2002
- ? Zoning Map
- ? Site Map
- ? Floor plan & elevations of proposed building
- ? Applicant's narrative
- ? Proposed Resolution No. R03-5

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